

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY J. LIMLEY,

Defendant.

)
)
)
)
)
)
)
)
)
)

8:06CR73

REPORT AND RECOMMENDATION
AND
ORDER

At the conclusion of the hearing on August 1, 2006, on the defendant's motion for a **Franks** hearing and his motion to suppress evidence, I stated my conclusions on the record and announced my decision to deny the motion for a **Franks** hearing (Filing No. 34) and to recommend that the motion to suppress (Filing No. 37) be denied. In accordance with that announcement,

IT IS RECOMMENDED to the Honorable Laurie Smith Camp, United States District Judge, that the motion to suppress, Filing No. 37, be denied in all respects.

FURTHER, IT IS ORDERED:

1. The clerk shall cause an expedited transcript of the hearing to be prepared and filed.
2. Pursuant to NECrimR 57.3 and NECrimR 57.2 any appeal of the order denying the motion for a **Franks** hearing and any objection to this Report and Recommendation shall be filed with the Clerk of the Court within ten (10) days after the transcript is available to counsel for reading in the clerk's office. Failure to timely appeal and/or object may constitute a waiver of any such appeal or objection. The brief in support of any appeal and/or objection shall be filed at the time of filing such appeal and or objection. Failure to file a brief in support of any appeal or objection may be deemed an abandonment of the appeal or objection.

Dated this 1st day of August, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge